

REMARKS/ARGUMENTS

Reconsideration and allowance of the subject patent application is respectfully requested. Claims 1-17 are currently pending. Previously presented claims 18-24 are cancelled without prejudice or disclaimer vis-a-vie filing in a subsequent continuation application.

By this amendment, claims 1-17 are amended above so as to give greater emphasis to some of the novel and patentable features set forth in these claims. The amendments are fully supported by the original disclosure and, thus, no new matter has been added. If the Examiner should disagree, however, it is respectfully requested that the challenged limitation be pointed out with particularity in the next Action so support may be cited in response.

Re the 35 U. S. C. § 102(b) Rejection:

The rejection of claims 1-4, 6, 8-12, 14, 16 and 17 under 35 U. S. C. §102(b) as allegedly being anticipated by Miyamoto et al. (U.S. Patent No. 7,115,031) is respectfully traversed.

The Miyamoto '031 reference discloses a game system that allows a player to select and switch between a map view and a game character viewpoint that is displayed on a display device. In this arrangement, using a hand-held controller, the player selects and controls the switching between a 2-D map of the game space and a fixed-size game space view from a single game character's viewpoint. The Miyamoto et al. game apparatus can not autonomously switch the particular game character controlled by a player, nor can it effect the selection of whether to display a map view or a character viewpoint of the game space, nor can it effect the extent of the viewable game space displayed upon the occurrence of certain game conditions.

In contrast, in applicants' implementation, as set forth by the independent claims amended above, the control of a particular game character is selected and changed (switched)

autonomously upon the occurrence of a particular predetermined game condition. In addition, in applicants' claimed implementation, different extents of the viewable game space are displayed to a player depending on which particular game character that player is controlling. In contrast to applicants' claimed implementation, the Miyamoto '031 reference does not disclose or suggest switching a game character that a player controls with another (second) game character in response to a predetermined game condition. Nor does the Miyamoto '031 reference disclose switching the displayed game space screen view corresponding to different operable game characters depending upon which particular character is being controlled by the player, as presently set forth in applicants' claims.

Moreover, the Miyamoto '031 reference fails to disclose presenting a game space view encompassing a broad extent of the game space containing a first game character and at least one or more other game characters when the operation mechanism controls the first character and presenting a game space view encompassing a narrow extent of the game space surrounding a second character when the operation mechanism controls the second character, in the manner as set forth in applicant's independent claims 1, 9 and 17.

Consequently, the Miyamoto '031 patent does not anticipate applicant's independent claims 1, 9 and 17 because it does not disclose every element of the claimed invention. See Lewmar Marine, Inc. v. Barient, Inc., 3 U.S.P.Q. 2d 1766 (Fed. Cir. 1987). It is also submitted that claims 2-4, 6, 8, 10-12, 14 and 16, being dependent from claims 1 or 9, are likewise patentably distinct over the teachings of the Miyamoto '031 reference for at least the same reasons set forth above with respect to independent claims 1, 9 and 17.

Re the 35 U. S. C. § 103(a) Rejections:

The rejection of applicants' dependent claims 5 and 13 under 35 U.S.C. §103(a) as allegedly being unpatentable over Miyamoto et al. ('031) in view of Kaku et al. (U.S. Patent Application Publication No. 2002/0013172) is respectfully traversed. Likewise, the rejection of applicants' dependent claims 7 and 15 under 35 U.S.C. §103(a) as allegedly being unpatentable over Miyamoto et al. ('031) in view of the Madden 2000 instruction booklet is also respectfully traversed.

As discussed above, applicants' independent claims, as currently amended, set forth a game apparatus that autonomously switches the particular game character being controlled by a player from a first character to a second character (or vice versa) depending on whether a specific predetermined game condition has occurred and, moreover, also autonomously changes the viewable extent of the game space depending specifically upon whether the first game character or the second character is being controlled by the player and also depending on whether a predetermined game condition has occurred. Neither the Miyamoto '031 reference nor the Kaku Patent Application Publication nor the Madden 2000 instruction booklet considered either alone or together teach or suggest these features as set forth in applicants' independent claims. Consequently, applicants' respectfully submit that dependent claims 5, 7, 13 and 15 are patentably distinct over the combined teachings of Miyamoto '031 in view of Kaku and/or Miyamoto '031 in view of the Madden 2000 instruction booklet for at least the reasons immediately set forth as well as the reasons set forth above with respect to independent claims 1, 9 and 17.

Conclusion

It is believed that the above amendments and remarks place the above-identified patent application into condition for allowance. Favorable consideration and allowance of this application are earnestly solicited. If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned at the number indicated below. If any small matter remains outstanding, the Examiner is encouraged to telephone Applicants' representative at the telephone number listed below or on the following page.

Respectfully submitted,

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